

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
v.)
)
KANG JUNTAO,)
also known as Kan Jundao,)
)
 Defendant.)
)

Case Number: 19 CR 107 (JBS)

AFFIDAVIT IN SUPPORT
OF REQUEST
FOR EXTRADITION

ORIGINAL FILED

FEB 13 2019

WILLIAM T. WALSH, CLERK

I, Ryan Bessey, being duly sworn, depose and state:

1. I am a citizen of the United States of America and a resident of the State of New Jersey.

2. I am a Special Agent with the U.S. Fish and Wildlife Service (“USFWS”), Office of Law Enforcement, Department of the Interior. I have been a Special Agent of USFWS since July 2010; prior to becoming a Special Agent, I worked as a uniformed Wildlife Inspector with USFWS for four years, covering John F. Kennedy International Airport in New York. I hold a dual bachelor’s degree from Mercyhurst University in Criminal Justice and Sociology with a concentration in law enforcement.

3. I investigate violations of federal wildlife laws. I have conducted, and assisted with, investigations into the activities of domestic and foreign persons responsible for such crimes as smuggling and wildlife trafficking. I have received training and led investigations into violations of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (commonly referred to as “CITES”), which is codified in the United States in the Endangered Species Act.

4. In the course of my duties, I have conducted an investigation of Kang Juntao, also known as Kan Jundao, who is indicted in the case of United States v. Kang Juntao, case number 19-107(JBS) pending before the U.S. District Court in the District of New Jersey.

5. On February 13, 2019, a federal grand jury sitting in Camden, New Jersey, which is in the District of New Jersey, returned an indictment charging Kang Juntao with violating the criminal laws of the United States. The indictment charged Kang Juntao with one count of Laundering of Monetary Instruments, in violation of 18 United States Code, Section 1956(a)(2)(A), and aiding and abetting the Laundering of Monetary Instruments, in violation of Title 18, United States Code, Section 2.

6. On February 13, 2019, an arrest warrant was issued for Kang Juntao to appear in court based upon the indictment. The warrant remains outstanding.

7. I submit this sworn affidavit pursuant to Article 1 of the Extradition Treaty between the governments of the United States and Malaysia in support of a request by the United States for the extradition of Kang Juntao to face charges in the aforementioned criminal case.

CASE EVIDENCE

8. Since approximately 2014, the USFWS has been investigating the trafficking of protected turtles native to the United States in domestic and foreign commerce. The investigation has revealed poachers who illegally collect the turtles from the wild, shippers who illegally package and mail the turtles throughout the United States and abroad, and foreign nationals who purchase the turtles. The investigation has identified Kang Juntao as a leader in a turtle trafficking ring where he pays the poachers and shippers to ultimately receive the turtles in Hong Kong and China. The turtles are then resold as part of the black market pet trade.

9. As part of this investigation, I have reviewed the evidence supporting the charges against Kang Juntao, which includes, but is not limited to: electronic mail messages, text messages, recorded phone calls, financial records, witness statements and testimony, Kang Juntao's statements, and observations of packages containing turtles being illegally shipped from the United States.

10. The evidence shows that, from his residence in China, Kang Juntao recruited and communicated with turtle poachers in the United States via social media platforms and reptile sale websites. He would negotiate the price and quantity of turtles he was looking to purchase. He would either pay the turtle suppliers directly or through middlemen located in the United States. He sought to purchase numerous species of protected turtles, including the eastern box turtle, Florida box turtle, Gulf Coast box turtle, wood turtle, and spotted turtle. He prized purchasing adult female turtles.

11. The purpose of the CITES treaty is to monitor the trade of and to protect fauna and flora from commercial activities that might diminish the capability of any species to survive in the wild. CITES classifies wildlife and plants in three appendices (Appendix I, II, and III), which give specific trade protection to fauna and flora. International trade in species listed in these Appendices is monitored and regulated by permits and quotas. The permit restrictions apply to live and dead specimens, as well as the skins, parts, and products made in whole or in part from a listed species. Wildlife and plant species listed in Appendix I of CITES are those currently threatened with extinction and that are or may be further threatened by trade. Under Appendix I of CITES, a species may be exported from a country only if, prior to exportation, the exporter applies for and obtains a valid foreign import permit issued by the country of import and a valid export permit issued by the country of export. Wildlife and plant species listed in Appendix II of CITES include species that are not presently threatened with extinction but may become so if their trade is not regulated. Under Appendix II of CITES, a species may be exported from a country only if, prior to exportation, the exporter applies for and obtains a valid CITES export permit issued by the country of export.

12. The eastern box turtle (*Terrapene carolina carolina*), Florida box turtle (*Terrapene carolina bauri*), and Gulf Coast box turtle (*Terrapene carolina major*) are subspecies of the common box turtle (*Terrapene carolina*) and have been listed in CITES Appendix II since 1995. Turtles such as these with colorful markings are particularly prized in the domestic and foreign pet trade. Eastern box turtles are worth on average \$2,000 USD each in the Asian market, Florida box turtles are valued at approximately \$2,500 USD, and Gulf Coast box turtles are valued at approximately \$1,000 USD. Female turtles with rare markings have been sold for more than \$20,000 USD.

13. The spotted turtle (*Clemmys guttata*) is a semi-aquatic turtle listed in CITES Appendix II as of 2013. Wood turtles (*Glyptemys insculpta*) have been protected under CITES Appendix II since 1992. Turtles with intense and unique spot patterns are sought after in the domestic and foreign pet trade. A spotted turtle is valued, on average, at \$650 USD in the Hong Kong pet trade market. Wood turtles are valued at approximately \$2,000 USD each.

14. Kang Juntao would typically arrange for the turtle suppliers to ship the animals to middlemen located throughout the United States. These contacts were frequently Chinese citizens who entered the country on student visas. Kang Juntao recruited and trained these individuals to repack the turtles and ship them to associates in Hong Kong. He instructed them how to bind the turtles in socks and with duct tape so their movement would not alert customs inspectors. Kang Juntao and his associates would not file the required U.S. or Hong Kong customs declarations, including CITES certificates. This investigation revealed that Kang Juntao recruited and trained at least six middlemen who operated in five different states within the United States.

15. Acting in an undercover capacity, I was able to pose as a turtle shipper. Kang Juntao instructed me to purchase and receive protected turtles on his behalf. At his direction, I shipped turtles to addresses he provided in Hong Kong. Kang Juntao paid me and sent me money to pay the turtle suppliers. Kang Juntao informed me that he was aware that shipping the turtles internationally was illegal and instructed me how to package the turtles to minimize the risk of detection by authorities. Per Kang Juntao's instructions, none of the packages were accurately labeled as containing turtles and did not have any CITES permits.

16. For example, from July 25 through August 16, 2017, I had a series of phone and text conversations with Kang Juntao. He had arranged to purchase 25 spotted turtles from a supplier in North Carolina. He made partial payment to the supplier directly and sent me \$4,000 USD to send to the supplier to complete payment. Kang Juntao also paid me \$2,500 USD to receive the turtles from the supplier, repackage them, and ship them to his associates in Hong Kong. Kang Juntao acknowledged receiving the packages and paid me an additional \$1,000 USD as a bonus payment.

From September 6 through 28, 2017, I had a series of phone and text conversations with Kang Juntao. He arranged to purchase 35 female and 15 male eastern box turtles from a supplier in North Carolina. He made a partial payment of \$2,000 USD to the supplier directly and sent me

\$3,000 USD to send to the supplier to complete payment. Kang Juntao also paid me \$4,000 USD to receive the turtles from the supplier, repackage them, and ship them to his associates in Hong Kong. Kang Juntao acknowledge receiving the packages and paid me an additional \$1,000 USD as a bonus payment.

17. Kang Juntao made a series of similar turtle purchases from the North Carolina supplier, as well as other suppliers, and directed me to ship them to Hong Kong for him from June 2017 through December 2018.

18. I maintained an account with PayPal for all financial transactions with Kang Juntao. PayPal is a digital monetary transform platform headquartered in San Jose, California. I opened a BB&T bank business checking account in New Jersey that is linked to the PayPal account to maintain the funds used in this investigation. BB&T bank's headquarters are located in Winston-Salem, North Carolina.

19. Between on or about June 12, 2017, and December 3, 2018, Kang Juntao sent me 40 payments amounting to approximately \$78,362 through PayPal. These funds were for the purchase and shipping of turtles at Kang Juntao's direction. Thirty-eight of the payments sent by Kang Juntao correspond to an address in China, while two transactions did not provide an address. Twenty-nine of the payments are associated with China Union Pay Bank, a financial institution in China, or Chinese credit card accounts. Specifically, Kang Juntao sent me the following payments to promote turtle smuggling from New Jersey to China:

| Date | Value | Date | Value |
|-------------------|-------------------|------------------|---------------------------|
| June 12, 2017 | \$1,000 | Feb. 16, 2018 | \$2,500, \$4,000, & \$250 |
| June 17, 2017 | \$800 | March 8, 2018 | \$1,400 |
| June 24, 2017 | \$3,432 | April 17, 2018 | \$1,800 |
| July 7, 2017 | \$472 | April 26, 2018 | \$600 |
| July 9, 2017 | \$4,000 | April 27, 2018 | \$1,000 |
| July 21, 2017 | \$1,248 | May 6, 2018 | \$412 & \$618 |
| July 25, 2017 | \$3,500 & \$3,000 | June 1, 2018 | \$2,060 |
| August 16, 2017 | \$1,000 | June 6, 2018 | \$2,266 |
| August 18, 2017 | \$4,160 | July 13, 2018 | \$2,472 |
| August 28, 2017 | \$4,160 | August 16, 2018 | \$4,326 |
| Sept. 7, 2017 | \$4,000 & \$3,000 | August 24, 2018 | \$1,236 |
| Sept. 26, 2017 | \$1,000 | Sept. 11, 2018 | \$2,000 & \$1,500 |
| October 17, 2017 | \$1,000 & \$200 | October 12, 2018 | \$2,000 & \$500 |
| November 8, 2017 | \$2,450 | October 26, 2018 | \$2,400 |
| November 16, 2017 | \$2,000 | Dec. 3, 2018 | \$600 |
| December 8, 2017 | \$2,000 | | |
| January 18, 2018 | \$2,000 | Total | \$78,362 |

20. Turtles are cold-blooded animals, so it is more difficult for them to survive being shipped during the winter. Wild turtles are also typically not available during the winter. Kang

Juntao has indicated that he intends to continue trafficking protected turtles from the United States when the weather warms and they become available.

21. During the entire investigation, Kang Juntao arranged for at least 1,500 turtles to be smuggled out of the United States valued at \$2,225,000 USD.

22. Royal Malaysia Police arrested Kang Juntao on January 23, 2019, at Kuala Lumpur International Airport. American agents advised Kang Juntao of his legal rights, and he agreed to speak with them. In sum and substance, he made the following admissions:

a. Since February 2017, Kang Juntao has purchased turtles in the United States, arranged for their shipment to Hong Kong, and sent money from China to the United States as payment.

b. Kang Juntao uses multiple PayPal accounts to send money to the United States to pay for the turtles and their shipment to Hong Kong.

c. Kang Juntao knows that it is illegal to buy and transport turtles in this manner. He is aware that box turtles are protected by the CITES treaty.

d. Kang Juntao works with an associate in Hong Kong who pays him for the turtles and directs him where to ship them. This person then re-sells the turtles in the black market pet trade in Hong Kong, China, and Japan.

e. Kang Juntao has purchased turtles and paid for shipping from at least six people across the United States and Mexico. He instructed shippers to conceal the turtles in socks and mislabel the packages to avoid detection by customs authorities.

f. Kang Juntao has purchased vipers from Canada and attempted to purchase them from Africa.

g. Kang Juntao has earned approximately \$100,000 USD from trafficking turtles from the United States.

h. Colorful box turtles can be valued at \$20,000 USD each in the Hong Kong black market pet trade.

IDENTIFICATION

23. Following his arrest, Kang Juntao acknowledged that he was indeed Kang Juntao and bore a passport with corresponding information. I have reviewed various identification and immigration documents associated with Kang Juntao. He is a native citizen of the People's Republic of China, born on May 8, 1996. He resides in Hangzhou City, China. His Chinese passport number is E02166237. A photograph is attached as Exhibit A.

CONCLUSION

24. This affidavit, including its exhibits, contains sufficient evidence to support the request of the United States of America that Kang Juntao be extradited from Malaysia to the District of New Jersey, United States of America, for prosecution on the above-cited offenses, and that he be detained pending the determination of his extradition, and any appeal thereof.

25. This affidavit was sworn before a Magistrate Judge of the United States for the District of New Jersey, who is a person authorized to administer an oath for this purpose.

Dated: February 13, 2019
Camden, New Jersey
United States of America



Ryan Bessey
Special Agent
U.S. Fish and Wildlife Service

Signed and subscribed to before me on
this 13th day of February, 2019.

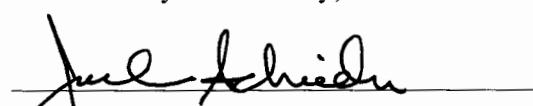

The Hon. Joel Schneider
U.S. Magistrate Judge
District of New Jersey
United States of America

EXHIBIT A

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